



COEUR D'ALENE TRIBE

850 A STREET
P.O. BOX 408
PLUMMER, IDAHO 83851
(208) 686-1800 • Fax (208) 686-1182

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February 27, 2012

Dennis McLerran
Region 10 Administrator
Environmental Protection Agency
U.S. EPA, Region 10
1200 Sixth Avenue, Suite 900
Seattle, WA 98101




Dear Mr. McLerran,

We would like to take this opportunity to thank you and your staff for meeting with us on February 15th. As we discussed at our meeting the Coeur d'Alene Tribe is very interested in protecting its members and the Reservation community through implementation of water quality standards. The purpose of our meeting was to discuss EPA's upcoming decision concerning Idaho's new fish consumption rate of 17.5g/day. As you know our water quality standards (for approved waters) are currently under your agency's review (since April of 2010). In our standards we have also used 17.5g/day as our initial fish consumption rate, recognizing that 17.5g/day was potentially not fully protective of tribal and non-native subsistence fishers yet we lacked a regionally specific, defensible fish consumption rate study to guide us in selecting a more appropriate fish consumption rate. Given this lack of information we have sought to first gain EPA approval of our WQS, and then seek to complete a fish consumption study which would allow us a better scientific foundation to justify changes to this important part of our standards. We are aware other Tribal governments are also keenly interested in EPA's impending action with Idaho's fish consumption rate and we share many of their concerns, yet we must insist that changes here in North Idaho be based on sound, and regionally specific science as we, the Coeur d'Alene Tribe will be the ones defending these changes.

As you know, industry and the public in general are very vocal concerning environmental regulation, especially when changes to them are proposed. As we have seen in our response to comments for our Water Quality Standards for Approved Waters, some stakeholders in this basin will devote considerable amounts of resources to challenge any perceived change in regulation. The response to those challenges must be credible if it is to be able to withstand potential litigation.

Finally, for this much needed fish consumption study to be successful we formally request EPA find additional funding to assist in this endeavor.

Sincerely,


Alfred M. Nomee, Tribal Council Member
Natural Resources Director
Coeur d'Alene Tribe


Phillip J. Cerna,
Lake Management Department Director
Coeur d'Alene Tribe

CC: Christine Psyk, EPA
Jim Zokan, EPA
DR Michel, UCUT